

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND**

STEPHEN SMITH,

Plaintiff,

v.

INTEGRAL CONSULTING SERVICES, INC.,

Defendant.

Civil Action No. 8:14-cv-03094-DKC

Chief Judge Deborah K. Chasanow

JURY TRIAL DEMANDED

**PLAINTIFF'S UNOPPOSED MOTION
FOR LEAVE TO FILE AMENDED COMPLAINT**

Plaintiff Stephen Smith ("Plaintiff"), through undersigned counsel, hereby moves for leave to file an Amended Complaint (rather than a brief in opposition to Defendant's Partial Motion to Dismiss or in the Alternative Partial Motion for Judgment on the Pleadings). See Dkt. 34. In support of his motion, Plaintiff states as follows:

1. Plaintiff filed this action in the Court of Common Pleas of Butler County, Pennsylvania on April 4, 2014, asserting claims for fraudulent inducement, negligent misrepresentation, and breach of contract against Defendant Integral Consulting Services, Inc. ("Defendant"). See Dkt.1-02 ("Complaint").

2. On May 8, 2014, Defendant removed the case to the U.S. District Court for the Western District of Pennsylvania.

3. On September 29, 2014, U.S. District Judge Nora Barry Fischer transferred the case to this court. See Dkt. 20.

4. On January 15, 2015, Defendant filed a Partial Motion to Dismiss or in the Alternative Partial Motion for Judgment on the Pleadings ("Motion to Dismiss"). See Dkt. 34.

5. On January 27, 2015, Plaintiff moved for an additional ten (10) days to respond to the Motion to Dismiss, which was granted on January 28, 2015. See Text Order at Dkt. 37.

6. Plaintiff's response to the Motion to Dismiss is due February 12, 2015.

7. While Plaintiff earlier indicated that he would file a responsive brief, he now believes that amending the Complaint may avoid delay and conserve judicial resources.

8. As more than twenty one (21) days have passed since Defendant filed its Motion, Plaintiff seeks leave to file an Amended Complaint by February 12, 2015 (the date the response brief would have been due).

9. This motion is filed in good faith, and no party will be prejudiced if it is granted.

10. Defendant does not oppose this motion.

WHEREFORE, for the above reasons, Plaintiff respectfully requests leave to file an Amended Complaint on or before February 12, 2015.

Respectfully submitted,

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Dated: February 11, 2015

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